

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et
al.,

Debtors.¹

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY
(PREPA),

Debtor.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

PROMESA

Title III

No. 17 BK 4780-LTS

SECOND REVISED ORDER EXTENDING AND ESTABLISHING CERTAIN DEADLINES APPLICABLE
TO THE JOINT MOTION OF PUERTO RICO ELECTRIC POWER AUTHORITY AND AAFAF
PURSUANT TO BANKRUPTCY CODE SECTIONS 362, 502, 922, AND 928, AND
BANKRUPTCY RULES 3012(A)(1) AND 9019 FOR ORDER APPROVING
SETTLEMENTS EMBODIED IN THE RESTRUCTURING SUPPORT AGREEMENT [ECF No. 1235]

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Urgent Motion of All Parties to Enter a Second Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922 and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement* [ECF No. 1235] (Docket Entry No. 1513 in Case No. 17-4780, the “Urgent Motion”) filed July 25, 2019, and the Court having found and determined that (i) the Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); (ii) venue of this proceeding is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); (iii) no party has objected to the proposed schedule set forth in the Urgent Motion; and (iv) the Court having found good cause to enter the modification to the schedule requested therein, it is

HEREBY ORDERED THAT the following schedule shall apply to any person or entity (i) that seeks discovery, (ii) from whom discovery is sought (whether by notice or subpoena), (iii) that objects to the 9019 Motion or to any discovery with respect thereto, or (iv) is a signatory to the RSA:²

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| July 23, 2019 | Oppositions to Discovery Motions and motions to quash due. |
| July 25, 2019 | Replies to Discovery Motions and motions to quash due. |
| July 30, 2019 (Boston) | Hearing on Discovery Motions and motions to quash. |

² Capitalized terms not defined herein shall have the same meaning as set forth in the original scheduling order related to the 9019 Motion (“Original Scheduling Order”) (Docket Entry No. 1253). Provisions 2(a) through (f) in the Original Scheduling Order with respect to discovery proceedings and the conduct of the hearing shall continue to apply. All parties in interest reserve all rights to seek relief from this schedule from the Court and to oppose any applications seeking such relief.

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| August 21, 2019 | Deadline for completion of fact discovery, including depositions (except as set forth otherwise herein). ³ |
| August 26, 2019 | Service of expert reports. |
| August 27, 2019 | Deadline for Objectors to file objections, including any declarations in support of objections. ⁴ |
| August 29, 2019 | Commencement of expert depositions. |
| September 12, 2019 | Disclosure of rebuttal experts and service of rebuttal expert reports. |
| September 16, 2019 | Deadline for Moving Parties, Objectors and Supporters to serve and disclose the declarations they plan to introduce as their respective principal cases (whether or not those declarations were previously served and disclosed), and to identify trial exhibits and any live testimony expected to be presented through third-party witnesses not under the participants' control. ⁵ |
| September 19, 2019 | Deadline for completion of expert depositions. |
| September 20, 2019 | Deadline for Moving Parties to file reply briefs and Supporters to file supporting statements. |
| September 21, 2019 | Deadline to exchange deposition designations. |

³ To the extent documents responsive to discovery requests are produced after June 28, including as a result of Discovery Motions, the parties will meet and confer regarding the effect of such productions on this schedule, including the deadline for completion of depositions, and all parties reserve their rights to (i) seek relief from the schedule based on such productions and/or seek additional depositions of witnesses who have already been deposed; and (ii) oppose any such request(s) for relief.

⁴ To the extent new declarations are filed on August 27 by witnesses who have not been deposed, the opposing parties shall have the right to take a deposition of the declarant within 7 days without waiver of any motions to exclude testimony by the declarant.

⁵ To the extent new declarations are served by September 16 from witnesses who have not been deposed or have not previously submitted declarations, the opposing parties shall have the right to take a deposition of the declarant within 7 days without waiver of any motions to exclude testimony by the declarant.

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| September 25, 2019 | Deadline for counter-designations, objections to declarations and exhibits, and designation of witnesses for cross-examination. The parties must promptly meet and confer in an effort to resolve any objections to declarations, witnesses, and exhibits. |
| September 25, 2019 at 11:00 a.m. | Deadline for filing motions in limine. Parties may seek relief from this deadline upon a showing of cause. The Court retains discretion as to whether to entertain late-filed motions in limine. |
| September 27, 2019 at 11:00 a.m. | Deadline for responses to timely motions in limine. |
| September 27, 2019 at 11:00 p.m. | Deadline for replies in support of timely motions in limine. |
| September 27, 2019 | Deadline for parties to file a joint status report as to any remaining objections to declarations, witnesses, and exhibits. |
| September 27, 2019 | Deadline for filing compilations of listed declarations and exhibits. |
| October 1, 2019 | Deadline to deliver hard copy compilations of declarations and exhibits to the District of Puerto Rico courthouse for Judge Swain and USB drive or DVD containing properly marked and identified exhibits and an exhibit list for the Clerk's Office. ⁶ |
| October 3, 2019 (San Juan, Puerto Rico) | Hearing on the 9019 Motion at 9:30 a.m. (Atlantic Standard Time) |

SO ORDERED.

Dated: July 26, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

⁶ See https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury Evidence Recording System PROMESA_VS_MJB_MO.pdf